

## 5.14 RESERVE ZONES

### 5.14.1 BACKGROUND

In establishing the Reserve zones in this District Plan, Council's major aim has been to give due recognition to the importance that reserve areas play in people's lives and the valuable contribution they make to the health and well-being of the natural environment and of the community.

The Resource Management Act 1991 defines amenity values as:

*"those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes".*

Reserves are one of those natural or physical resources that are part of amenity values.

The manner in which the use, development and management of the natural and physical resources of the reserves is carried out can contribute to meeting the requirements of Part II of the Resource Management Act 1991.

It is also recognised that recreational needs are changing both in type and scale. Many factors have caused an increased demand for more diverse and improved facilities. These include an increasing amount of leisure time, increased public mobility, better health and life expectancy, improved communications, and changing social attitudes towards recreation (including an expectation of attractive facilities).

The District's parks and gardens provide many opportunities for both active and passive recreational activities and this is reflected in the zoning patterns. Two different types of reserves have been identified in terms of their function and the effects of activities within them, rather than by their size.

The Reserve (Passive) zone includes neighbourhood and local recreation reserves, esplanade, historic, amenity, local purpose reserves (war memorials, toilets), picnic/rest areas, water and soil conservation, coastal protection, tree and vegetation protection and archaeological/cultural. In this zone, buildings and structures (apart from those immediately related to the activity) are not provided for.

The Reserve (Active) zone includes organised sports facilities, racecourses, the Goldfields Historic Railway and showgrounds. In the Reserve (Active) zone, buildings and structures ancillary to these activities (clubrooms, grandstands, car parks) are provided for as permitted, controlled or discretionary activities. Rules on height, buffers, noise and other rules to protect the amenity of adjoining or nearby residential zoned land are provided.

The options available to provide for reserves in the District Plan are by:

- ≠ Designation.
- ≠ Zoning.
- ≠ Providing for recreation and reserve activities within a general zone (eg residential).

In promoting the Reserve zones approach to provide for most of the reserve requirements in the District, Council wishes to recognise that:

- ≠ Although a number of reserves are owned and administered by Council, there are other reserves in private ownership (Paeroa Racecourse, Waihi A&P Association) or owned by other public bodies (Department of Conservation) that need to be appropriately provided for in the District Plan; and
- ≠ A significant number of reserves were never vested or classified under the Reserves Act 1977 or the Conservation Act 1987 and therefore cannot be designated.

The designation and general zoning provisions do not adequately provide for these situations, whereas the provision of specific reserve zones does provide a flexible and effective means of recognising reserve activities.

While the zoning in this District Plan provides a specific approach to dealing with all reserves, other legislation provides for management of the reserves outside the District Plan. In particular, management plans prepared under the Reserves Act 1977 and provisions under the Wildlife Act 1955, and Conservation Act 1987 can be used for management purposes. The Reserves Act establishes a classification system for the reserves covered by it, which is to ensure the control, management, development, use, maintenance and preservation of reserves for their appropriate purpose. Reserves can be classified as recreation, historic, scenic, nature, scientific, government purpose or local purpose.

The Reserves Act requires management plans to be prepared for the reserves covered, in accordance with the classified purpose of the reserve. The reserve zones in this District Plan do not preclude these procedures being undertaken.

Reserves and the facilities within them have to provide for the needs of a number of "customers" and some of these customers can be thought of as follows:

- ≠ When the customer is the "environment", the reserve may need to protect an ecosystem, a wetland, a lake, a river, a landscape or indigenous flora and fauna.
- ≠ When the customer is the Maori community, the reserve may need to protect the culture and traditions associated with ancestral lands, waters, sites, waahi tapu, urupa, taonga or archaeological sites.
- ≠ When the customer is the active sportsperson, the reserve needs to provide for a wide range of indoor and outdoor activities.
- ≠ For the overseas visitor the reserve may need to protect an historic or scenic feature that contributes to the tourist experience of visiting New Zealand.

The two reserve zone approach used in this District Plan, provides the "umbrella" under which the development of individual reserves can be accommodated and provided for, using the management plan process.

The two reserve zones are needed in addition to the Conservation (Forest) and Conservation (Wetland) zones, as the objectives and outcomes for each are different. Essentially, the two conservation zones seek to conserve and protect specific resources on public land (forest and wetlands), while the reserve zones seek to provide for a range of active and passive recreation activities.

The effect of activities in the reserves (especially the Reserve (Active) zone) have the potential to detrimentally affect the amenities and qualities of adjoining areas. The "social and commercial" aspects of some reserve activities (where consumption of alcohol is involved or a band is playing) need to be managed to ensure the detrimental effects of such activities do not impact on adjoining areas. Also, some reserve activities themselves create detrimental effects, such as noise (eg motorcycle racing, gun clubs). These activities have been provided for in the District Plan as discretionary activities in the Reserve (Active) zone.

### 5.14.2 RESOURCE MANAGEMENT ISSUES

What is the appropriate mechanism whereby the recreational, open space and amenity needs of the community can be met in a manner that contributes to its health and well-being.

The protection, use, management and development of reserve resources need to be carried out in a sustainable manner.

The activities within reserves need to be managed and developed in a manner which does not impact on adjoining activities.

#### 5.14.3 ANTICIPATED ENVIRONMENTAL RESULTS

The environmental result of the reserve zones is to maintain and enhance a variety of natural and physical reserve resources that contribute to the health and well-being of the natural environment and the community.

Protection of specific historic, scenic, cultural, natural, physical and scientific features can be achieved within the provisions of the zone.

#### 5.14.4 OBJECTIVES AND POLICIES

##### **Objective 1**

*To provide for the reserve needs of the community in order to promote the health and well-being of the populace.*

##### **Objective 2**

*To protect natural and physical resources that are matters of national importance or are of significant value to the community.*

##### **Policies**

Objectives 1 and 2 will be achieved by implementation of the following policies:

1. Providing for active and passive recreation opportunities, as well as protection of ecological, historic and other environmental resources.
2. Recognising that the reserve zones are general "back stop" mechanisms for managing reserves, and that for example, the management plan process under the Reserves Act 1977 provides the mechanism to deal with the management of individual reserve areas.

##### **Reasons**

1. Providing people with opportunities for recreation, is one way which enables the community to provide for their health, social and cultural wellbeing.
2. One means of protecting features is through public ownership (Council). Where this cannot be achieved, then the provisions of the reserve zones can be used to protect and manage such features.
3. Other mechanisms for achieving the outcomes of the reserve zones need to be recognised.

##### **Objective 3**

*To safeguard the health, amenity and general welfare of adjoining or nearby residents from the detrimental effects of some active recreation activities.*

##### **Policies**

Objective 3 will be achieved by implementation of the following policies:

1. Activities with known environmental effects will require a land use consent in these zones.
2. Stating performance standards for activities on reserves.

##### **Reasons**

1. Activities located on a reserve can have effects which are detrimental to the neighbouring amenities. Such effects include noise, traffic and lighting. These effects can be considered and managed through the performance standards and resource consent processes.
2. While management plans are being prepared and/or where no management plan is to be prepared, the reserve zones provide a statutory framework in which activities may establish and operate.